

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: 30 July 2007 Name: C. Noel Kaman

Signature: C. Noel Kaman

**BRINKS
HOFFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Ellen Filvaroff et al.

Patent No.: 7,018,837 B2

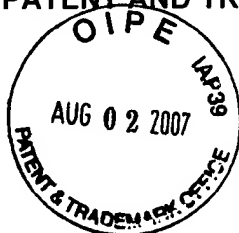
Issued Date: March 28, 2006

Appln. No.: 09/944,884

Filed: August 31, 2001

For: Nucleic Acids Encoding Secreted
Polypeptides That Stimulate Release Of
Proteoglycans From Cartilage

Attorney Docket No: 10466-134



Examiner: Ruixiang Li

Art Unit: 1646

**Certificate
AUG 06 2007
of Correction**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Attn: Certificate of Corrections Branch

Sir:

Attached is/are:

☒ Request for Certificate of Correction (in duplicate); Certificate of Correction Form PTO 1050 (in duplicate); a copy of the Request to Correct Inventorship filed on September 9, 2004 and stamped by the Patent and Trademark Office on September 13, 2004 (and check no. 344320 in the amount of \$130.00 to cover the fee; copy of PTO Paper 01102006 regarding the correction of the Inventorship; Corrected Filing Receipt, dated February 8, 2006)

☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ Check in the amount of \$_____ to cover the fee is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

30 July 2007
Date

C. Noel Kaman
C. Noel Kaman (Reg. No. 51,857)

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**BRINKS
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Ellen Filvaroff et al.
Patent No.: 7,018,837 B2
Issued Date: March 28, 2006
Appln. No.: 09/944,884
Filed: August 31, 2001
For: Nucleic Acids Encoding Secreted Polypeptides That Stimulate Release Of Proteoglycans From Cartilage



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					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

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Respectfully submitted,

30 July 2007
Date

C. Noel Kaman
C. Noel Kaman (Reg. No. 51,857)

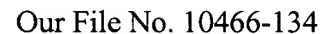
30 July 2007
(Date of Deposit)

(Date of Deposit)

Name of applicant, assignee, or Registered Representative

Signature

Date of Signature



In re Application of:

Ellen Filvaroff et al.

Patent No.: 7,018,837 B2

Issue Date: March 28, 2006

Serial No.: 09/944,884

Filing Date: August 31, 2001

For: Nucleic Acids Encoding Secreted Polypeptides
That Stimulate Release Of Proteoglycans From
Cartilage

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Attn: Certificate of Corrections Branch

Sir:

Please issue a Certificate of Correction for the above-identified patent to correct the errors listed on the accompanying Form PTO-1050. This request is being made pursuant to 35 U.S.C. § 254, since the errors comprise minor or typographical errors by the Patent and Trademark Office.

Applicants filed a Fee and Request to Correct Inventorship to Delete Named Inventors in U.S. Application No. 09/944,884 on September 9, 2004. As evidenced by the request, and the Corrected Filing Receipt, the names of the inventors "Kevin P. Baker, David Botstein, Dan L. Eaton, Napoleone Ferrara, Mary E. Gerritsen, Kenneth J. Hillan, Ivar J. Kljavin, Mary A. Napier, Margaret Ann Roy, Daniel Tumas" were to be deleted. Enclosed is a copy of: the Request to Correct Inventorship and check no. 344320 in the amount of \$130.00 to cover the fee for that request; PTO Paper 01102006 regarding the correction of the Inventorship; Corrected Filing Receipt, dated February 8, 2006, reflecting the correct inventorship.

Applicants request that the correct Inventorship be indicated by issuance of a Certificate of Correction.

The Commissioner is hereby authorized to charge any fees required to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



C. Noel Kaman

Registration No. 51,857

Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200

(Date of Deposit)

Name of applicant, assignee, or
Registered Representative

C. Noel Korman
Signature

Date of Signature

Please issue a Certificate of Correction for the above-identified patent to correct the errors listed on the accompanying Form PTO-1050. This request is being made pursuant to 35 U.S.C. § 254, since the errors comprise minor or typographical errors by the Patent and Trademark Office.

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Respectfully submitted,



C. Noel Kaman
Registration No. 51,857
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO : 7,018,837 B2
APPLICATION NO. : 09/944,884
ISSUE DATE : March 28, 2006
INVENTOR(S) : Ellen Filvaroff et al.

Page 1 of 1

It is certified that error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Title Page

In column 1, item (12), delete "**Baker et al.**" and substitute --**Filvaroff et al.**-- in its place.

In column 1, item (75), delete "**Kevin P. Baker**, Darnestown, MD (US); **David Botstein**, Belmont, CA (US); **Dan L. Eaton**, San Rafael, CA (US); **Napoleone Ferrara**, San Francisco, CA (US); **Mary E. Gerritsen**, San Mateo, CA (US); **Kenneth J. Hillan**, San Francisco, CA (US); **Ivar J. Kljavin**, Pacifica, (CA (US); **Mary A. Napier**, Hillsborough, CA (US); **Margaret Ann Roy**, San Francisco, CA (US); **Daniel Tumas**, Orinda, CA (US)".

MAILING ADDRESS OF SENDER (Please do not use customer number below):

PATENT NO. 7,018,837 B2

C. Noel Kaman
BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO : 7,018,837 B2
APPLICATION NO : 09/944,884
ISSUE DATE : March 28, 2006
INVENTOR(S) : Ellen Filvaroff et al.

Page 1 of 1

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PATENT NO. 7,018,837 B2

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Date: 9 September 2004 Name: C. Noel Kaman, Reg. No. 51,857 Signature: C. Noel Kaman

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Baker, et al.

Appln. No.: 09/944,884

Filed: August 31, 2001

For: NUCLEIC ACIDS ENCODING SECRETED
POLYPEPTIDES THAT STIMULATE
RELEASE OF PROTEOGLYCANS FROM
CARTILAGE

Examiner: Li, Ruixiang

Art Unit: 1646

Attorney Docket No: 10466/134

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Request to Correct Inventorship, Pursuant to 37 CFR Section 1.48(b) (in duplicate).
☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☒ A petition or processing fee in an amount of \$130 under 37 C.F.R. § 1.17(l).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

Fee payment:

- ☒ A check in the amount of \$130.00 to cover the above-identified fee(s) is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____ A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

9 September 2004
Date

C. Noel Kaman
C. Noel Kaman (Reg. No. 51,857)



1646/
93/ JFW
P

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents
Alexandria, VA 22313-1450
on 9 September 2004

Date of Deposit

C. Noel Kaman, Reg. No. 51,857

Name of applicant, assignee or
Registered Representative

C. Noel Kaman

Signature

9 September 2004

Date of Signature



09/14/2004 HLE333 00000016 09944884

01 FC:1460

130.00 OP

Our Case No. 10466/134
P2548P1C15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Baker *et al.*

Serial No. 09/944,884

Filing Date: August 31, 2001

For: NUCLEIC ACIDS ENCODING SECRETED
POLYPEPTIDES THAT STIMULATE
RELEASE OF PROTEOGLYCANS FROM
CARTILAGE

Examiner Li, Ruixiang

Group Art Unit No. 1646

REQUEST TO CORRECT INVENTORSHIP, PURSUANT TO 37 CFR §1.48(b)

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

I, the undersigned, request that Kevin P. Baker, David Botstein, Dan L. Eaton, Napoleone Ferrara, Mary E. Gerritsen, Kenneth J. Hillan, Ivar J. Kljavin, Mary A. Napier, Margaret Ann Roy, and Daniel Tumas, named in the above-identified Patent

Application No.: 09/944,884
Filed August 31, 2001
Request to Correct Inventorship, dated 9 September 2004

Application, be deleted as these inventors' invention is no longer being claimed in the above identified Patent Application.

The Commissioner is hereby authorized to charge any fees required to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: 9 September 2004

C. Noel Kaman

C. Noel Kaman
Registration No. 51,857
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

BRINKS HOFER GILSON & LIONE

Date: 09/09/2004

Check No. 344320

Invoice Number	Inv. Date	Code	Account	Invoice Amount	Description
203571	09/09/2004	41	10466.00134	\$ 130.00	FILING REQUEST TO CORRECT INVENTORSHIP

Vendor No. 3024 - COMMISSIONER OF PATENTS AND TRADEMARKS

THIS DOCUMENT CONTAINS SECURITY FEATURES - SEE BACK FOR DETAILS

BRINKS HOFER GILSON & LIONE
 455 North Cityfront Plaza
 NBC Tower, Suite 3600
 Chicago, IL 60611-5599

The Northern Trust Company
 Chicago, Illinois 60675
 2-15/710

No. 344320

DATE

09/09/2004

\$*****130.00

PAY One Hundred Thirty & no/100 Dollars

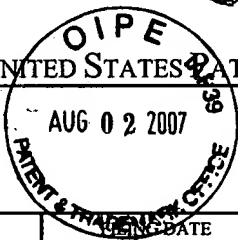
TO
THE
ORDER
OF

COMMISSIONER OF PATENTS AND TRADEMARKS

Mark Yates
 Authorized Signature



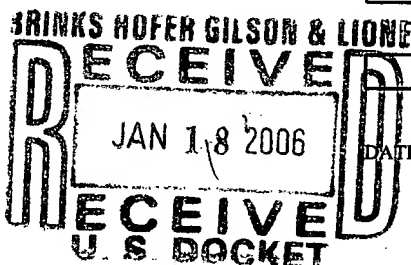
UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILED DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,884	08/31/2001	David Botstein	P2548P1C15	5993

7590 01/13/2006
BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610



EXAMINER

LI, RUIXIANG

ART UNIT	PAPER NUMBER
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1646

DATE MAILED: 01/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

09/944,884

08/31/2001

David Botstein

P2548P1C15

EXAMINER

Ruixiang Li

ART UNIT

PAPER

1646

01102006

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

In view of the papers filed on 09/13/2004, the inventorship in this nonprovisional application has been changed by the deletion of Kevin P. Baker, David Botstein, Dan L. Eaton, Napoleone Ferrara, Mary E. Gerritsen, Kenneth J. Hillan, Ivar J. Kljavin, Mary A. Napier, Margaret Ann Roy, and Daniel Tumas.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of Office records to reflect the inventorship as corrected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruixiang Li whose telephone number is (571) 272-0875. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brenda Brumback, can be reached on (571) 272-0961. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please contact the Electronic Business Center (EBC) at the toll-free phone number 866-217-9197.

Ruixiang Li
Ruixiang Li, Ph.D.
Primary Examiner
January 11, 2006.



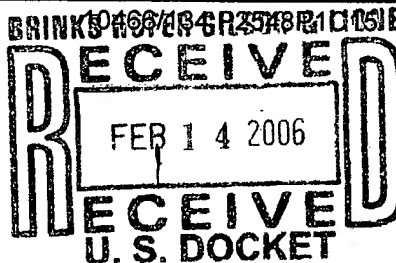
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov



APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
09/944,884	08/31/2001	1646	1010	BRINKS HOFFER GILSON & LIONE 1068/18 62578 1051	34	20	3

BRINKS HOFFER GILSON & LIONE
ATTN: C. NOEL KAMAN
P.O. BOX 10395
CHICAGO, IL 60610



CONFIRMATION NO. 5993
CORRECTED FILING RECEIPT
OC000000018012674
OC000000018012674

Date Mailed: 02/08/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Ellen Filvaroff, San Francisco, CA;
Audrey Goddard, San Francisco, CA;
Paul J. Godowski, Burlingame, CA;
J. Christopher Grimaldi, San Francisco, CA;
Austin L. Gurney, Belmont, CA;
William I. Wood, Hillsborough, CA;

Assignment For Published Patent Application

Genentech, Inc.

Power of Attorney:

Jeffery Duncan--31609
Karen Mrksich--36675
Donald Silvert--37552
Heidi DaRe--50775
Christin Kaman--51857

Elizabeth Barnes--35059

Domestic Priority data as claimed by applicant

This application is a CON of 09/866,028 05/25/2001 PAT 6,642,360
which is a CON of PCT/US99/28301 12/01/1999
which is a CIP of 09/254,311 03/03/1999 ABN
which is a 371 of PCT/US98/25108 12/01/1998
which claims benefit of 60/069,334 12/11/1997

Foreign Applications

f Required, Foreign Filing License Granted: 01/08/2002

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is
US09/944,884

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

NUCLEIC ACIDS ENCODING SECRETED POLYPEPTIDES THAT STIMULATE RELEASE OF
PROTEOGLYCANS FROM CARTILAGE

Preliminary Class

435

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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